

Pro Se I (Rev. 12/16) Complaint for a Civil Case

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JAN 14 2019

CLERK, U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

Case No.

3:19-cv-09

(to be filled in by the Clerk's Office)

James A. Owens

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☐ Yes ☐ NoVerdy Owens (see Attached)

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

JAMES A. OWENS

Street Address

1512 Beushoff Hill Road

City and County

Johnstown, Cambria

State and Zip Code

PA 15906

Telephone Number

(212) 206-1369

E-mail Address

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Heidi Owens
 Teacher
 1402 3rd Avenue
 Proctor, St Louis
 Minnesota, 55810

Defendant No. 2

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Mark Rubin
 County Attorney
 100 North 4th Ave, West #501
 Duluth, St Louis
 Minnesota, 55802

Defendant No. 3

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Cheryl Prince
 Attorney
 1000 U.S. Bank, 130 West Superior St
 Duluth, St. Louis
 MN 55802

Defendant No. 4

Name
 Job or Title (if known)
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address (if known)

Supreme Court
 Eri. Justice System
 305 Minnesota Judicial Court
 25 Rev. Dr. Martin Luther King
 St. Paul, MN
 Minnesota, 55155

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

American Disability Act -
 Osha Regulation -
 Period -
 Right to see children and to have child -

B. If the Basis for Jurisdiction Is Diversity of Citizenship

Support Reflect
 Judicial Statutes

1. The Plaintiff(s)**a. If the plaintiff is an individual**

The plaintiff, (name) JAMES OWENS, is a citizen of the
 State of (name) Pennsylvania.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
 under the laws of the State of (name) _____,
 and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) Haidi Owens, is a citizen of
 the State of (name) MINNESOTA. Or is a citizen of
 (foreign nation) _____.

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b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

It has done me psychological harm and has prevented me from doing jobs.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

*See Brief Attached to Supreme Court
1 See Attachment C*

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

*I am asking that
1) I get to see my children
2) see other request.*

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

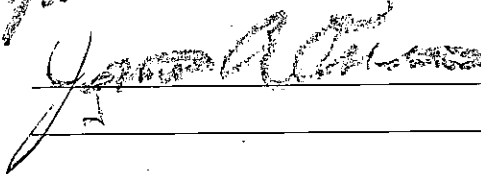
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

12/17/2018

Signature of Plaintiff _____

Printed Name of Plaintiff _____

**B. For Attorneys**

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____

Item B - Referencing Defendants

A

- 1) Heidi M. Owens
1402 3rd Avenue
Proctor, MN 55810
- 2) Mark Rubin - County Attorney
100 North 5th Ave, West #501
Duluth, MN 55802
- 3) Cheryl Prince
1000 US Bank
130 West Superior Street
Duluth, MN 55802
- 4) Supreme Court
305 Minnesota Judicial Court
25 Rev Dr. Martin Luther King
St. Paul, MN 55155
- 5) Susan Ginsburg
930 Alworth Building
306 West Superior Building
Duluth, MN 55802
- 6) Jocely Brecher
HAFET Frider
1000 US Bank Fr
130 West Superior Street
Duluth, MN 55802

Attachment C

Complaint - Supreme Court

The Complaint Is that the Supreme Court of Minnesota, did not allow my case to proceed when I was 1 day late - They only gave me two days to respond. They told me that they could not control the mail system. I am disabled and it took me overnight to respond in two days. They took me

Supreme Court
The, held onto it for nearly 3 weeks before sending back to me and gave me two days to respond. They

They would not take up my case because they told me

I was one day late.

I have not been treated fairly since this case began in 2012.

I was set up and have been extorted. I detail this in my complaint to the Supreme Court.

James A. Owen

1V) RELIEF

As the Petitioner in this case I am asking the District court to provide relief in the following manner

- 1) Allow the children to see their father. The Petitioner has not and is not doing anything wrong. He loves his children as any other competent Father. I love and am kind to my children. I am working on not being disabled. Just because a person is disabled does not mean that individual cannot be a competent father.
- 2) Grant me relief in terms of restitution towards returning the approximate \$400,000, the Petitioner has had to pay out even as I am and was disabled. How can I be a successful parent if I cannot live?
- 3) I am asking the District Court to get those individuals who committed perjury in the courts, made false allegations and manipulated the truth to pay restitution towards all my suffering which I have encountered with this disability. (See Brief). I cannot express to you the amount of agony I have suffered because of this disability. I have nightmares daily and am living in absolute pain.
- 4) My children have been and being used as bargaining chips and I am requesting the Federal court to step in and to reinforce this activity as illegal.
- 5) I should know who I am speaking to on Facebook and I should know when the person is responding to me in Facebook that individual is actually the person doing the speaking.
- 6) I am asking the federal Court for the state of Minnesota to pay restitution for not allowing me as a person who is disabled certain basic rights so they can have an opportunity to have a court case. I was told by the Supreme Court of Minnesota that I needed to remove a few words to have my brief under the 2000 word limit. Their documents do not meet the standards for someone who is disabled to even bring a case to court no along meet the 2000 word limit.

The state held onto that document for over 2 and half weeks and then sent it to me over Veterans Day and I was given me two days to respond so that it became impossible to return it in 30 days. (See copy of their declaration). The state of Minnesota did not want the case to be brought to court, because they know I am right and they have been violating my rights under the American Disability Act and OSHA right to be disabled and my Rights as a Father.

The state knew I had a strong case and they did not want that case to be heard in court. They sent me my case document back to me over the Veteran day holiday and stated that I needed to remove a few words so that I can make it below the 2000 word limit. They gave me two days to respond. I responded 1 day late and I was told that they did not have any control over the mail system, even though they held it for over two and half weeks.

- 7) Hanft Fride uses their influence in the courts to manipulate the outcome of decisions in the court systems. The courts make their own rules to appease Hanft Fride and do not follow state statutes as well as federal OSHA and disability regulations. Hanft Fride should stay out of Child

support court quarters and Judge's quarters and behind the doors of judicial courts in general. Decisions should be based on their own merit not because it makes a large attorney firm happy.

- 8) Susan Ginsburg and Cheryl Prince should not act as their own judges in the case. They should be transparent with their clients and not follow their own personal agenda. They should follow the rules of the state. I am asking for restitution for their behavior and they should follow the same confidentiality which is customary with any attorney client relationship. I was told that if I wanted to see my children that I needed to have Heidi gain access to my bank account.
- 9) Jocelyn Bremer also presented herself off as a judge to get me to reveal my assets. This is illegal and was caused me high stress. I feel that I should be reimbursed for that action.
- 10) I maintain that just because an individual has not been ruled disabled does not mean he is not disabled. As the federal courts and other courts are aware. It can take 3 to 5 years to be processed to be found disabled. I had medical testimonies and blended case manager testify that I was disabled yet the District Court increased my child support payment and my eldest child is not yet emancipated who will be 21. I have an agreement in place which states that my child is emancipated. They sent me my case document back to me over the Veteran day holiday to remove a few words so that I can make it below the 2000 word limit. I responded within a 2 days of that request and was denied I love grace my eldest daughter but I want to give it to her on her own situation.
- 11) I have not seen my children significantly for nearly seven years. I have tried everything to contact my children but their Mother denies me that opportunity. I have fought by litigation to see my children. I have been through the District Courts Decisions, the appellant court decisions and the Supreme Court canceling the case all together. They have worked to appease Hanft fried regardless if the decision is illogical. Hanft Fried is extorting me. They are working towards getting every amount of money I have accumulated and I suspect they are getting a commission. I have paid out \$400,000 in 5 years and being ordered to pay \$2075.00/month for two children. That monthly payment represents an entire salary for a lot families. I can't live, I can't eat and I am not seeing my children for no stated reason. None yet has provided me a reason. This is criminal fraud.
- 12) The District attorney Mark Rubin knows I am a good Father to my children despite my disability. I have lived up to my financial obligations but I am going bankrupt. I disclosed to him and the local sheriff why Heidi and her friends are committing perjury and our breaking the law. They told me that they do not have any resources. They are discriminating against me as an individual who is disabled. They refuse to bring the case to court because they do not want to incriminate the people involved in the case at the District level.

In my 30 plus years working as a profession engineer, I have never witnessed contracts which have been so routinely violated, Civil and criminal laws have been broken and I have witnessed how an attorney firm can influence the decisions of the judicial process for monetary gain. They routinely discriminate against an individual when he is disabled and refuse to allow a competent parent the right to see his children even when that person is an outstanding citizen of the United States. I may not be perfect but I work hard each Day to uphold the constitution and Ten commandments. I take note of the fact that founded constitution that it is in GOD WE TRUST.

In Summary, I am asking for a monetary award for the disability they have created towards me. Hanft Fride went over the top in getting Heidi Sole custody of the children and financial security. In that process you can assume they are receiving a financial commission